

 KENTUCKY CORRECTIONS Policies and Procedures	Policy Number	Total Pages
	27-11-02	4
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	September 11, 2012	November 2, 2012
Authority/References KRS 11A.005 - 11A.045, 18A.140, 196.030, KRS 196.035, 439.470, 439.600, 439.630 P & P ACA 2G-01, 3C-02	Subject STAFF-OFFENDER INTERACTION	

I. DEFINITIONS

“Acquaintance” means knowledge of a person acquired by a relationship less intimate than friendship.

“Family member” means a person related to another by blood, marriage, or adoption with whom an officer has more than an acquaintance.

“Fraternize” means the development of a relationship between a Division of Probation and Parole staff member and an offender, offender’s family member, or other person acting on behalf of an offender that is not necessary for the fulfillment of the staff member’s specific job duties.

“Offender” means any person: (1) confined in a correctional institution; (2) under the probation or parole supervision of Corrections, including any person on inactive supervision who has not received a final discharge; (3) who has been adjudicated guilty or has entered a guilty plea but is still pending final sentencing; or (4) who is less than one (1) year beyond the date of his date of serve-out or release from supervision.

“Official services” means any supervision, treatment, investigation, representation, court appearance, or other service provided to offenders by the Division of Probation and Parole.

“Staff member” means an employee, intern, contractor, consultant, volunteer, or other person employed or used by the Kentucky Division of Probation and Parole in the carrying out of its duties.

II. POLICY AND PROCEDURE

- A. Offenders shall not be harassed or and discriminated against based on race, religion, national origin, gender, sexual orientation, disability, or political views. (2G-01)

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- B. Each employee shall abide by the Department of Corrections Code of Ethics as outlined in CPP 3.1 (Code of Ethics). Each employee shall adhere to the ethical standards pursuant to KRS 11A.005 through 11A.045 and KRS 18A.140. (3C-02)
- C. A staff member shall not violate the public trust by providing official services that would create a conflict of interest or the appearance of a conflict of interest.
1. A staff member shall not provide official services for a member of his family.
 2. A staff member shall not provide official services for an offender with whom he has more than an acquaintance. This shall include personal, business, and social relationships.
 3. A staff member shall not use his official position to secure privileges for himself or others. A staff member shall not use his official position to campaign, lobby, or promote political activities.
 4. A staff member shall not knowingly accept any gift or gratuity or engage in personal business transactions that would provide a benefit not available to the general public.
- D. A staff member, either on duty or off duty, shall not fraternize with an offender, an offender's family member, or other person acting on behalf of the offender, in any manner including:
1. Association apart from the official contacts established by Corrections Policies and Procedures;
 2. Cohabitation;
 3. Habitation in a property under the staff member's control; and
 4. Sexual contact of any kind, regardless of consent.
- Section D shall not prohibit the above contacts if the officer was married or in a pre-existing relationship with the offender or the offender's immediate family prior to the commission of the offender's criminal acts. In this case, all other sections of this policy shall apply.
- E. A staff member shall report any violation of this policy, or potential violation of this policy immediately.

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1. Upon employment, a staff member shall provide a list of all offenders with whom he has more than an acquaintance.
 - a. The district supervisor shall immediately obtain the current district assignment and status of each offender listed.
 - b. The district supervisor shall resolve the conflict of interest by:
 - (1) Transferring the offender to another district; and
 - (2) Notifying the Director of the Division of Probation and Parole if other actions are not adequate.
 2. Upon gaining knowledge that an offender with whom a staff member has more than an acquaintance may be assigned to a staff member's district, the staff member shall immediately notify the district supervisor. The district supervisor shall resolve the conflict of interest by:
 - a. Referring the offender to another district for further actions; and
 - b. Notifying the Director of the Division of Probation and Parole if other actions are not adequate.
 3. A staff member realizing that this policy has been violated during the course of ongoing official services to an offender shall report the violation to the district supervisor in the offender's assigned district immediately.
 - a. The district supervisor shall notify the Director of the situation immediately.
 - b. The district supervisor shall immediately prevent the accused staff member from providing any further official services to that offender.
- F. Upon notification of alleged violations, the Director of the Division of Probation and Parole may assign staff to investigate the allegations.
1. This investigative team shall not be comprised of staff assigned to the suspected staff member's district.
 2. The investigative team may conduct interviews with involved staff and offenders.

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3. The investigative team shall conduct an audit of all Probation and Parole records regarding the alleged offender.
4. A staff member not providing full disclosure of all facts and knowledge of the case to the investigative team may be disciplined in accordance with state personnel regulations.
5. The investigative team shall refer any suspected violations of law to the appropriate law enforcement agency in that jurisdiction.